

# Wetlands Bureau Decision Report

Decisions Taken  
11/29/2004 to 12/05/2004

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2002-02161                      MORSE, STEPHEN**  
**ALTON   Lake Winnepesaukee**

### Requested Action:

Amend permit to install two fender tie off pilings.

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### Conservation Commission/Staff Comments:

Con Com questions the need to encroach on property line setback.

Inspection Date: 02/06/2003 by Dale R Keirstead

### APPROVE AMENDMENT:

Amend permit to read: Fill 764 sq ft to construct 40 linear ft of breakwater, in an "dogleg" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 36 ft cantilevered pier, install two tie off piles, on an average of 100 ft of frontage on Lake Winnepesaukee, Alton.

### With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction, as received by the Department on September 24, 2002 and amendment request plans by Winnepesaukee Marine Construction dated November 4, 2004, as recieved by the Department on November 5, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the east property line and the imaginary extension of that line into the water and at least 10 ft from the west property line and the imaginary extension of that line into the water as authorized, in writing, by the owner of the lot identified as Alton Tax Map 73, Lot 37, on January 22, 2003.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No portion of breakwater as measured at normal full lake shall extend more than 44 feet from normal full lake shoreline.
9. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
10. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

### With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 100 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.

5. The proposed docking facility will provide 1 slip as defined per RSA 482-A and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on February 6, 2003, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. The Wetlands Bureau received a notarized release for the work within the 20 ft setback dated January 22, 2003.

-Send to Governor and Executive Council-

**2002-02449                      SOUTHERN NH UNIVERSITY**  
**HOOKSETT   Unnamed Wetland Prime Wetlands**

**Requested Action:**

Request to amend permit conditions and correct conservation easement mitigation acreage amount, per requests and supporting materials received on May 10, 2004 (permit conditions, Master Plan plan sheet); on May 14, 2004 (proposed Restoration and Revegetation Narrative); on October 14, 2004 (revised site plan set); and on November 22, 2004 (revised draft Conservation Easement deed for Buffers and Access) as follows:

1. Amend condition #6 from record approved plans with conservation easement for each appropriate lot "within 30 days of receipt of this decision ..." to "record within 30 days of final subdivision approval and signature by the Town Planning Board..."
2. Amend condition #7 from "no further alteration of wetlands for lot development, driveways, culverts, or other construction activities" to "no further alteration of wetlands for lot development, driveways, culverts, or other construction activities for Phase I of this development"
3. Amend Land Resources Preservation condition #1 from contingent upon execution of a conservation easement on 192.76 acres ... to "contingent upon execution of conservation easement on 115.50 acres"
4. Amend Land Resources Preservation condition #5 from "conservation easement area shall be surveyed by a licensed land surveyor and marked by monuments during construction", to "within conservation easement areas within the open space areas subject to temporary impact, areas which will not be impacted shall be surveyed by a licensed land surveyor and surrounded by temporary fencing and monumented upon completion of construction; and areas which are subject to temporary impacts shall be permanently monumented upon completion of construction and restoration of the temporary impacts. All monumenting shall be properly installed upon Subdivision Approval and recording of the Plan.
5. Amend Land Resources Preservation condition #7 from "there shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited" to reflect the language of the revised conservation easement deed which reflects such constraints for easement areas not subject to temporary impacts, but which acknowledges allows for temporary impacts in easement open space areas within the central portion of the development and their restoration. Upon restoration of these impact areas, the original constraints apply regarding removal of vegetation, etc. and are reflected in the revised easement language.
6. Accept revised conservation easement per plan entitled "Master Plan" dated October 2001, revised 4/29/04 as received by DES on 5/10/04; and per draft conservation easement deed revised 11/22/04 as received by DES on 11/22/04.
7. Accept baseline conservation easement documentation by Blue Moon Environmental Inc. dated October 2004, as received by DES on 10/14/04.

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**Conservation Commission/Staff Comments:**

Did not comment.

Inspection Date: 03/28/2003 by Frank D Richardson

**APPROVE AMENDMENT:**

Dredge and fill a total of 35,077 sq. ft. of palustrine forested/scrub-shrub/emergent wetlands for construction of the roadway infrastructure associated with the development of 148 single family residential units on a 382.4 acre parcel of land with a corrected total of 115.5 acres which will be placed in conservation easement to provide compensatory mitigation; and with amended permit conditions as described herein.

**With Conditions:**

1. All work in wetlands shall be in accordance with plans by Brown Engineering, LLC dated July, 2002, as received by the

Department on March 28, 2003; amended permit conditions and corrected conservation easement mitigation acreage amount shall be in accordance with supporting materials received on May 10, 2004 (permit conditions, Master Plan plan sheet); on May 14, 2004 (proposed Restoration and Revegetation Narrative); on October 14, 2004 (revised site plan set); and on November 22, 2004 (revised draft Conservation Easement deed for Buffers and Access).

2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the DES Site Specific Program.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. This permit shall not be effective until it has been recorded with the Merrimack county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. AMENDED: Record approved plans with conservation easement for each appropriate lot within 30 days of final subdivision approval and signature by the Hooksett Planning Board, and submit a certified receipt from the Merrimack County Registry of Deeds to the DES Wetlands Bureau.
7. AMENDED: There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities for Phase I of this development.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be properly rip rapped.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. Silt fencing must be removed once the area is stabilized.
18. Work shall be done during low flow.
19. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

#### Land Resources Preservation:

1. AMENDED: This permit is contingent upon the execution of a conservation easement on 115.5 acres as described in the following documents: revised Master Plan dated October 2001, revised 4/29/04, received by DES on 5/14/04; Proposed Restoration and Revegetation Plan dated 5/13/04 dated and received by DES on 5/17/04; and draft conservation easement deed entitled: Conservation Easement, University Heights, Tax Map 14, Lot 14-1 et seq, Hooksett NH, (Buffer & Access Areas).
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the Merrimack County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. AMENDED: Within conservation easement areas within the open space areas subject to temporary impact, areas which will not be impacted shall be surveyed by a licensed land surveyor and surrounded with temporary fencing and monumented upon completion of construction; and areas which are subject to temporary impacts shall be permanently monumented upon completion of construction and restoration of the temporary impacts. All monumenting shall be properly installed upon Subdivision Approval and recording of the Plan.

6. AMENDED: The Wetlands Bureau shall be notified of the placement of the easement monuments or other protective mechanisms as described in condition no. 5 above, to coordinate on-site review of their location prior to construction.
7. AMENDED: There shall be no removal of the existing vegetative undergrowth within the easement area or any other prohibited activity as described in the conservation easement deed dated 11/22/04 as received by DES on 11/22/04.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The requirement to record the plan with conservation easement for each individual lot as approved by the Department on 12/19/03 for each lot within 30 days of the date of the Department's decision requires the applicant to record a subdivision plan at the Registry which is not the final, approved subdivision. It is more appropriate to record the final, approved subdivision plan and its lots individually with the associated conservation easements, for it is from the final, approved plans that the applicant would transfer lots to new owners.
  2. Limitation of the no further alteration of wetlands condition to Phase I of the development as shown in the original plans reasonably allows the development of Phase II without limiting the future regulatory review by the Department of impacts proposed for Phase II when those impacts are applied for.
  3. With respect to the amount conservation easement acreage approved for mitigation, the record shows that the applicant specifically offered a total of 115.5 acres of land for conservation easement, including open land area and buffers for this Phase of the development. Plans submitted prior to permit approval show an additional 77.26-acre parcel, however the plans clearly state that this is a "reserved" area, to be used as mitigation in future phases of the development. Further, the DES mitigation rules, which were in draft form at the time of the approval, only require a 10:1 ration for the preservation form of mitigation. Since the total approved impact was 35,077 square feet, the applicant, even if the impact had been a full acre, would have only needed to provide 10 acres of conservation easement preservation area to comply. The corrected figure of 115.5 acres of conservation easement still represents 11.5 times the amount the applicant was required to provide.
  4. With respect to conditions requiring monumenting of the easement area and prohibition of removal of vegetative understory, the record shows that, prior to issuance of the permit, there were certain confined areas of the easement that would be subject to temporary impacts for construction of development infrastructure. Blanket placement of these conditions on the permit contradicts the approved plans. The applicant has proposed reasonable alternatives which allow for construction according to the approved plans while achieving the mitigation goals for the easement area once construction is completed, and has submitted a revised conservation easement deed, monumenting sequence, and a restoration planting plan for the areas of temporary impacts, in support.
5. DES review of the revised draft conservation easement deed finds that it more accurately reflects the specific activities which will occur on the site, while maintaining consistency with conservation easement language and controls which the Department finds acceptable.

**2003-01551                      MARRIOTT, J.WILLARD,STEPHEN & JULIA**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Applicant requests amendment to allow for larger slip areas within the proposed boathouse.

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Inspection Date: 08/12/2003 by Darlene Forst

APPROVE AMENDMENT:

Amend permit to read "Dredge 58 cu yd from 1,870 sq ft of lakebed and excavate 963 sq ft from the bank along 67 linear feet of shoreline to construct a 57 ft x 32 ft 6 in, 3-slip dug-in boathouse and excavate 432 sq ft from 25 linear ft of shoreline to construct a 250 sq ft perched beach with 6 ft wide access stairs on an average of 234 ft of frontage on Tuftonboro Neck, Lake Winnepesaukee."

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co, Inc. revised March 19, 2004, as received by the Department on April 19, 2004 with the exception that the interior slip dimensions shall be as outlined on plans by Folsom Design Group dated November 10, 2004, received November 18, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 526.00) above the dock surface (Elev. 506.00).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. No wheeled or tracked equipment shall be used in the water.
12. The cofferdam shall be completely removed from the jurisdiction of the Wetlands Bureau.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. No work is authorized to the existing 2-slip pier on the frontage. This pier shall be reduced to the approved dimensions of 6 ft x 30 ft as part of the next permitted repair or replacement of the structure.
16. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
17. Material placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of the existing retaining wall currently located along the normal high water line (Elev. 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
18. The steps installed for access to the water shall be located completely landward of the normal high water line.
19. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
20. This permit shall be used only once, and does not allow for annual beach replenishment.
21. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
22. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
23. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. The proposed modifications to the boathouse interior will not increase projects impacts to jurisdictional areas or the number of slips provided by the docking facilities.
2. The NH DES Wetlands Bureau reaffirms it's findings for approval in the original decision of May 26, 2004.

-Send to Governor and Executive Council-

**2004-00174                      NH DEPT OF TRANSPORTATION**  
**PLYMOUTH   Pemigewasset River**

**Requested Action:**

Replace the existing two lane bridge and sidewalk with a three lane bridge having 5 ft. shoulders and two 8 ft. sidewalks impacting 79,286 sq. ft. of river and banks (34,077 sq. ft. temporary).

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**Conservation Commission/Staff Comments:**

There are no comments from either Conservation Commission or the River Advisory Committee.

Inspection Date: 03/26/2004 by Gino E Infascelli

Inspection Date: 10/25/2004 by Gino E Infascelli

**APPROVE PERMIT:**

Replace the existing two lane bridge and sidewalk with a three lane bridge having 5 ft. shoulders and two 8 ft. sidewalks impacting 79,286 sq. ft. of river and banks (34,077 sq. ft. temporary). NHDOT project #11849.

**With Conditions:**

1. All work shall be in accordance with:
  - a. Plans by the NHDOT Bureau of Highway Design dated 1/28/04 as received by the Department on February 4, 2004 except sheet 5 of 10 (river sections) and
  - b. The Environmental Document signed 6/2/1999 and received October 14, 2004.
2. This permit is contingent upon the submission of project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. The group of maples on the east bank and north of the proposed treatment swale shall remain intact. They shall be identified for protection with orange construction fencing prior to and during construction.

17. Humus to be added above elevation 458.5, as specified in the application, shall be extended northerly to 15 feet under the new bridge.
18. Additional seed from shrubs common to this location shall be incorporated in the slope stabilization mix per the meeting held 10/28/04.
19. The final planting and seeding plan shall be submitted for review by the DES Wetlands Bureau.
20. This permit is contingent upon the submission of stamped engineering plans in accordance with Rule Wt 404.04.
21. The plans submitted in accordance with condition 20 shall incorporate benches in the banks for wildlife travel per the meeting held 10/28/04.
22. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
23. The impacts associated with the temporary work shall be remediated immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i) alteration of river bank and channel in excess of 200 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 26, 2004 and October 25, 2004. Inspection determined that the safety improvements for pedestrians and vehicles are greater than the proposed impacts to jurisdictional areas, most of which were previously altered.
6. The temporary bridge is required to allow safe travel during construction.
7. The application, plans and the conditions for the approval have minimized the disturbance for areas within jurisdiction.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine ecosystem.

**2004-00645**

**WINNIPESAUKEE BEACH COLONY CLUB ASSOC INC**

**MEREDITH Lake Winnepesaukee**

Requested Action:

- 1) Permanently remove (3) piling piers with (30) finger piers totally 4,314 sq ft utilizing 59 boat slips; and
- 2) Replace with (1) 8 ft 11 in x 85 ft piling pier narrowing to 6 ft x 71 ft for a total length of 156 ft with a 156 ft railing on the north side of the pier; and
- 3) Construct (1) 6 ft x 148 ft piling pier with (5) 2 ft x 20 ft finger piers, (3) 2 ft x 19 ft finger piers, (3) 2 ft x 19 ft 6 in finger piers, and (1) 3 ft 11 in x 19 ft finger pier; and
- 4) Construct (1) 6 ft x 160 ft piling pier, accessed by a 6 ft x 12 ft ramp, with (5) 2 ft x 20 ft finger piers, (5) 2 ft x 19 ft 9 in finger piers, and (1) 2 ft x 19 ft 3 in finger pier on an average of 586 ft of frontage on Sally's Gut, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE PERMIT:

- 1) Permanently remove (3) piling piers with (30) finger piers totally 4,314 sq ft utilizing 59 boat slips; and
- 2) Replace with (1) 8 ft 11 in x 85 ft piling pier narrowing to 6 ft x 71 ft for a total length of 156 ft with a 156 ft railing on the north side of the pier; and
- 3) Construct (1) 6 ft x 148 ft piling pier with (5) 2 ft x 20 ft finger piers, (3) 2 ft x 19 ft finger piers, (3) 2 ft x 19 ft 6 in finger piers, and (1) 3 ft 11 in x 19 ft finger pier; and
- 4) Construct (1) 6 ft x 160 ft piling pier, accessed by a 6 ft x 12 ft ramp, with (5) 2 ft x 20 ft finger piers, (5) 2 ft x 19 ft 9 in finger piers, and (1) 2 ft x 19 ft 3 in finger pier on an average of 586 ft of frontage on Sally's Gut, Lake Winnepesaukee.

With Conditions:



1. All work shall be in accordance with plans by Folsom Design Group dated October 24, 2003, revised on November 12, 2004, as received by the Department on November 18, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. A restrictive covenant shall be placed on the deed stating no dockage of any kind shall be allowed on the north side of dock 'A'.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. All removed material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
7. The railing shall run the entire length of the north side of dock 'A' uninterrupted.
8. Signs, with a minimum size of 18 inches by 24 inches, shall be posted on north side of the dock stating it is a violation to dock or moor any vessel of any kind on this side of dock 'A'.
9. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. Work shall be done during low water.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), modification and reconfiguration of a major docking facility.
2. The applicant has an average of 586 feet of frontage along Lake Winnepesaukee.
3. A maximum of 59 slips may be permitted on this frontage per Rule Wt 101.07, "Boat slip", for grandfathered boat slips.
4. The proposed docking facility will provide 58 slips as defined per Rule Wt 101.07, and will reduce the number of slips by 1 and therefore meets the requirements of Rule Wt 402.22 for modification of existing structures.
5. Public hearing is waived based on field inspection, by NH DES staff, on June 22, 2004, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

**2004-01081                      THE LAKEHOUSE COTTAGES LLC, FREDRICK CLAUSEN**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Relocate an existing 4 ft x 40 ft piling pier 21 ft farther south along the property line, dredge 72.4 cu yds of material from 784 sq ft of lakebed for docking access, and install (1) 10 ft x 12 ft seasonal boatlift and (2) 5 ft x 8 ft seasonal jet ski lifts on an average of 350 ft of frontage on Paugus Bay, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE PERMIT:

Relocate an existing 4 ft x 40 ft piling pier 21 ft farther south along the property line, dredge 72.4 cu yds of material from 784 sq ft of lakebed for docking access, and install (1) 10 ft x 12 ft seasonal boatlift and (2) 5 ft x 8 ft seasonal jet ski lifts on an average of 350 ft of frontage on Paugus Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 14, 2004, as received by the Department on November 29, 2004.
2. The dredge volume shall not exceed 72.4 cubic yards as per telephone conversation on November 30, 2004.
3. There shall be no dredge below Elev 501.32.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. All seasonal structures shall be removed from jurisdiction for the non-boating season.
9. Work shall be done during low water.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(g), removal of more than 20 cu yds of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 24, 2004. Field inspection determined the project to be approvable.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.

-Send to Governor and Executive Council-

**2004-02398                      LONG SHORES LOT OWNERS ASSN, JACK ANDERSON**  
**BARRINGTON Prime Wetlands**

Requested Action:

Temporarily impact approximately 50 square feet of bank adjacent to Barrington Prime Wetland #43 for the in-kind replacement of an existing 24-inch by 40-foot culvert beneath Longshore Drive to improve public safety.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Barrington Conservation Commission signed the PBN.

Inspection Date: 11/04/2004 by Eben M Lewis

APPROVE PERMIT:

Temporarily impact approximately 50 square feet of bank adjacent to Barrington Prime Wetland #43 for the in-kind replacement of an existing 24-inch by 40-foot culvert beneath Longshore Drive to improve public safety.

With Conditions:

1. All work shall be in accordance with plans by Martha Kierstead dated November 5, 2004, as received by the Department on November 5, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Barrington Conservation Commission of the date project construction is proposed to begin.
4. Work shall be conducted during low flow conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Major Impact Project, per Administrative Rule Wt 303.02(f), as the project is located adjacent to Barrington Prime Wetland #43.
2. The project is necessary to replace a failing culvert beneath Longshore Drive.
3. The project will enhance conveyance of seasonal hydrology and improve public safety.
4. NHDES Wetlands Bureau staff conducted a field inspection of the property on November 4, 2004.
5. On November 5, 2004 the NHDES Wetlands Bureau conducted a public hearing for the proposed project, in accordance with Rule Wt 703.03. No concerns or objections were raised during the hearing.
6. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
9. The applicant has sufficiently addressed the criteria for approval, defined in Rule Wt 703.01(b), for projects located in or adjacent to designated prime wetlands.
10. The Department received comment concurring with the project from both the Barrington Planning Board (November 5, 2004) and Barrington Conservation Commission (October 29, 2004).
11. Based on the above-referenced material the Department waives Rule Wt. 704.01, 28 calendar day hold.
12. Based on observations made during the above-referenced field inspection and based on review of information submitted in support of the application, the Department finds that there is clear and convincing evidence that the proposal will result in no significant net loss of values to the prime wetlands, as set forth in RSA 482-A:1.

MINOR IMPACT PROJECT

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**2002-00877**                      **BEANE, KAREN**  
**TUFTONBORO**   **Lake Winnepesaukee**

Requested Action:

Remove an illegal "L" shaped pier and excavate 728 sq ft from 53 linear ft of shoreline to construct a 50 ft x 18 ft perched beach

with a 1 ft wide perimeter wall on an average of 430 ft of frontage on Cow Island.

\*\*\*\*\*

Inspection Date: 08/20/2002 by Darlene Forst

**APPROVE PERMIT:**

Remove an illegal "L" shaped pier and excavate 728 sq ft from 53 linear ft of shoreline to construct a 50 ft x 18 ft perched beach with a 1 ft wide perimeter wall on an average of 430 ft of frontage on Cow Island.

**With Conditions:**

1. All work shall be in accordance with plans by Degrace Design dated July 29, 2004, as received by the Department on July 30, 2004.
2. All portions of the illegal "L" shaped pier shall be completely removed from the jurisdiction of the DES Wetlands Bureau prior to the construction of any new structures on the frontage.
3. No work is authorized to the existing breakwater and cantilevered pier.
4. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This project is classified as a minor impact project per Rule Wt 303.03, (k), projects that impact between 50 and 200 linear feet of shoreline along a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

**2004-00296                      FILIPI, ARNIE**  
**CHESTERFIELD   Unnamed Stream**

**Requested Action:**

Amend permit to upgrade catch basin to handle increased stormwater flows and provide outlet protection. Retain installation of an 18" x 40' culvert to be extended approximately 35' to provide access to a 2 bedroom single family residence.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

On March 2, 2004, the Conservation Commission requested clarification for appropriate culvert sizing to handle increased seasonal flows and requested approval is postponed to assess spring runoff conditions.

Inspection Date: 01/08/2004 by Jeffrey D Blecharczyk

Inspection Date: 08/10/2004 by Jeffrey D Blecharczyk

**APPROVE AMENDMENT:**

Amend permit to upgrade catch basin to handle increased stormwater flows and provide outlet protection. Retain installation of an 18" x 40' culvert to be extended approximately 35' to provide access to a 2 bedroom single family residence. per plans received on 03/30/2004.

With Conditions:

1. All work shall be in accordance with plans by Sharon Monahan; Site Succor Design dated March 30, 2004, as received by the Department on April 2, 2004 and amended catch basin designs dated October 12, 2004, as received by the Department on October 26, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for this lot shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project alters approximately 70 linear feet of a seasonal stream and is therefore a minor impact project per Administrative Rule Wt 303.03(I), alteration or disturbance of less than 200 linear feet of a stream channel and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on January 8, 2004. Field inspection determined seasonal stream channel relocated and culvert installed for construction of a driveway.
6. Home and septic system under construction as of January 8, 2004 site inspection.
7. Conservation Commission on March 2, 2004, requested postponement of approval until a determination could be made for adequate handling of site drainage.
8. The proposed drainage structures conform to existing drainage from abutting lots and roadside areas as documented during the site inspection on January 8, 2004, and meet Town specifications.
9. The subject lot shall have access only for a two (2) bedroom single family residence in accordance with applicable NHDES Subsurface Bureau Administrative Rules.
10. On August 10, 2004, DES personnel met with the Town of Chesterfield road agent to discuss a drainage issue related to the approved driveway culverts.
11. The Department determined the project has caused damage to an abutting property owner.
12. The Department has determined the revised plans will adequately address the issued related to stormwater flows under normal circumstances.

**2004-01660**                      **MORSE, JEFFREY**  
**HENNIKER**   **Unnamed Wetland**

Requested Action:

Dredge and fill 6,349 square feet of palustrine emergent and scrub-shrub wetlands to provide access to a single family residence.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation Commission has no object to providing access to the property provided a cross-section and methods for stabilizing side slopes along the crossing are provided.

There is no other road frontage from which access is obtainable to the property.

APPROVE PERMIT:

Dredge and fill 6,349 square feet of palustrine emergent and scrub-shrub wetlands to provide access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated November 11, 2004, as received by the Department on November 12, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. No fill shall be done for lot development.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work shall be done during low or non flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project impacts 6,349 sq ft for driveway access and is therefore a minor impact project per Administrative Rule Wt 303.03(e), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02082 KINNEY, THOMAS**  
**MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Dredge two rocks adjacent to an existing 6 ft x 48 ft seasonal pier on 100 feet of frontage on Lake Winnepesaukee, in Moultonborough.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Dredge two rocks adjacent to an existing 6 ft x 48 ft seasonal pier on 100 feet of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Thomas Kinney dated ,October 30, 2004, as received by the Department on November 22, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Rocks removed from the lake bed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is specifically permitted.
5. Rocks shall not be stockpiled in jurisdiction.
6. No rocks shall be dredged or deposited within 20 feet of an abutting property line.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of not more than 20 cubic yards of rock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. NHI and Fish and Game have no concerns with the proposed project.

**2004-02155                      ROCHESTER, CITY OF**  
**ROCHESTER   Unnamed Wetland**

Requested Action:

Impact approximately 310 square feet of palustrine scrub-shrub and emergent wetlands and open water areas to replace a 24-inch x 20-foot culvert with a 24-inch x 32-foot culvert and associated headwalls, and replace a 15-inch x 40-foot culvert in-kind with associated headwalls to upgrade Elmo Lane.

\*\*\*\*\*

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated September 16, 2004 the Rochester Conservation Commission recommended approval of the project with the provision that the hydrology of the wetlands is not compromised by the inlet and outlet elevations of the 24-inch diameter culvert. The Conservation Commission also noted a lack of erosion control measures and sedimentation in wetlands resulting from work on Elmo Lane.

APPROVE PERMIT:

Impact approximately 310 square feet of palustrine scrub-shrub and emergent wetlands and open water areas to replace a 24-inch x 20-foot culvert with a 24-inch x 32-foot culvert and associated headwalls, and replace a 15-inch x 40-foot culvert in-kind with associated headwalls to upgrade Elmo Lane.

With Conditions:

1. All work shall be in accordance with the Plan & Profiles (Sheets 1 & 2 of 4), the Cross Sections & Details (Sheet 3 of 4) and the Erosion & Sediment Control Details (Sheet 4 of 4) by Norway Plains Associates, Inc. dated August 2004, as received by the Department on September 8, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be conducted during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work areas, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a

temporary cofferdam is fully effective, confined work can proceed without restriction.

9. Temporary cofferdams shall be entirely removed immediately following construction.

10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

11. Proper headwalls shall be constructed within seven days of culvert installation.

12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

#### With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as it involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters, including a marsh.

2. Improvements to Elmo Lane are necessary to provide safe access to a commercial facility authorized under Wetlands and Non-Site Specific Permit No. 2002-0475.

3. In a letter to the DES Wetlands Bureau dated September 16, 2004 the Rochester Conservation Commission recommended approval of the project with the provision that the hydrology of the wetlands is not compromised by the inlet and outlet elevations of the 24-inch diameter culvert. The Conservation Commission also noted a lack of erosion control measures and sedimentation in wetlands resulting from work on Elmo Lane.

4. Based on review of the plans submitted in support of the application, the Department finds that the inlet and outlet invert elevations of the proposed 24-inch diameter culvert will mimic those of the existing 24-inch diameter culvert, thereby ensuring that existing hydrology will be maintained.

5. Based on review of photographs of the site taken on November 23, 2004, as submitted by the applicant's authorized agent, Norway Plains Associates, Inc., the Department finds that proper erosion and siltation controls have been installed along Elmo Lane.

6. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

7. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

8. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02312                      TINEL, PETER**  
**MOULTONBOROUGH   Lake Winnepesaukee**

#### Requested Action:

Dredge one boulder from the lakebed within approach to an existing 4 ft x 36 ft seasonal pier on 102 ft of frontage on Black Cat Island, in Lake Winnepesaukee, Moultonborough.

\*\*\*\*\*

#### Conservation Commission/Staff Comments:

Con Com questions whether rock removal would add too many boatslips for the frontage.

#### APPROVE PERMIT:

Dredge one boulder from the lakebed within approach to an existing 4 ft x 36 ft seasonal pier on 102 ft of frontage on Black Cat



Island, in Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated July 13, 2004, as received by the Department on September 24, 2004.
2. Rocks removed from the lake bed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is specifically permitted.
3. Rocks shall not be stockpiled in jurisdiction.
4. No rocks shall be deposited within 20 feet of an abutting property line.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of not more than 20 cubic yards of rock.
2. NHI and NH Fish and Game have no concerns.
3. The Conservation Commission has concerns the removal of the rock will add boatslips. The removal of the rock does not add boatslips to the frontage.

**MINIMUM IMPACT PROJECT**

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**2004-00445                      LYNDE, MARJORIE**  
**WOLFEBORO   Lake Wentworth**

Requested Action:

Restore a 126 sq ft dug-in boat basin to the original shoreline with natural rocks on an average of 109 ft of frontage on Lake Wentworth, Wolfeboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Restore a 126 sq ft dug-in boat basin to the original shoreline with natural rocks on an average of 109 ft of frontage on Lake Wentworth, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction of Wolfeboro Inc dated August 2, 2004, as received by the Department on October 21, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(m), projects that disturb less than 50 linear ft of shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00643                      JIM POWERS INC**  
**BATH    Unnamed Wetland**

Requested Action:

Dredge and fill 1,650 sq. ft. of wetlands to construct a driveway to a residential lot.

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DENY PERMIT:

Dredge and fill 1,650 sq. ft. of wetlands to construct a driveway to a residential lot.

With Findings:

1. 1. A request for additional information dated May 5, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-01186                      ST KATHARINE DREXEL PARISH**  
**ALTON    Unnamed Wetland**

Requested Action:

Permit amendment request due to changes in the plans.

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Conservation Commission/Staff Comments:

The conservation commission has no concerns with the proposed project.

APPROVE AMENDMENT:

Fill 1942 square feet of wet meadow and scrub shrub wetland for the widening of existing road for public safety.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering dated May 21, 2004, and revised through November 3, 2004, as received by the Department on November 16, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.

4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Work shall be conducted during low water conditions.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant conducted an inventory of the property for the Small Whorled Pogonia (*Isotria medeoloides*), an intensive search of the most suitable habitat proved negative.

**2004-02016                      NATIONAL GRID USA COMPANIES**  
**ALEXANDRIA   Unnamed Wetland**

Requested Action:

Confirm emergency authorization issued August 26, 2004, to temporarily impact 100 square feet for repair of existing energy transmission structure.

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Conservation Commission/Staff Comments:

The Conservation Commission did not comment.

CONFIRM EMERGENCY AUTHORIZATION:

Temporarily impact 100 square feet for repair of existing energy transmission structure.

With Conditions:

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall.
2. The project was necessary to continue energy transmission service.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on August 26, 2004.

4. Review of the monitoring report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2004-02182                      HANSON, ALLAN & BABBETTE**  
**LOUDON   Unnamed Pond**

Requested Action:

Maintenance dredge 5950 square feet of man made pond and install a dry hydrant for fire protection.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Conservation Commission did not comment on this application.

APPROVE PERMIT:

Maintenance dredge 5950 square feet of man made pond and install a dry hydrant for fire protection.

With Conditions:

1. All work shall be in accordance with plans by Loudon Fire Department dated November 19, 2004, as received by the Department on November 19, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be conducted during low water conditions.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredging, when necessary to provide continued usefulness, of nontidal drainage ditches, man-made ponds, and spillways.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02208                      NUTT, JOHN & NADINE**  
**LONDONDERRY   Unnamed Stream**

Requested Action:

Retain 300 sq. ft. of fill and installation of a 12" x 16' culvert installed in an intermittent stream for foot traffic and horse access to another part of the property.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. recommends approval; assisted with application.

**APPROVE AFTER THE FACT:**

Retain 300 sq. ft. of fill and installation of a 12" x 16' culvert installed in an intermittent stream for foot traffic and horse access to another part of the property.

**With Conditions:**

1. This permit is contingent upon removal of all stones placed along the edges of the intermittent stream, and the hand-raking and stabilization of the removal areas with appropriate stabilizing vegetation.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Work shall be done during low flow.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill for access to a piece of property for recreation uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant had no prior knowledge of wetlands regulations and cooperated immediately with the Londonderry Conservation Commission upon notification that the work done required a wetlands permit.
6. Per the review requirements of Wt 204.06, DES finds that this project, as conditioned, would have been approvable if properly applied for.

**2004-02411                      WRAY, NANCY**  
**LYME   Clay Brook**

**Requested Action:**

Fill 400 square feet within the bank of Clay Brook for driveway expansion.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Lyme Conservation Commission supports the project with the following conditions:

1. Care shall be taken to disturb a minimal area of vegetation down slope from the new retaining wall during construction.
2. Best management practices must be followed to control siltation and erosion into the buffer and brook during construction and the period after until natural vegetation regenerates.
3. The driveway shall be sloped to direct runoff water from the hardened driveway surface away from the retaining wall, and this runoff will exit the parking area at the southerly part of the construction, farthest from the house, and in such a way that it flows through the maximum amount of vegetation prior to entering the brook.
4. In so far as possible, salt laden snow should not be plowed to the west over the new retaining wall, but should be plowed to the south as far from the brook as possible.

Inspection Date: 10/26/2004 by Jocelyn S Degler

**APPROVE PERMIT:**

Fill 400 square feet within the bank of Clay Brook for driveway expansion.

With Conditions:

1. All work shall be in accordance with plans by Nancy Wray, as received by the Department on October 6, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
6. The proposed driveway shall be sloped to direct stormwater away from the proposed retaining wall.
7. Snow shall not be plowed over the retaining wall into jurisdiction but shall be plowed and stored to the south.
8. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is required to expand an existing driveway for a turn around area prior to entering a busy state highway.
6. DES conducted a site inspection of the property on October 26, 2004, field inspection found that the area has been impacted over the years and the bank is currently vegetated invasive species and the channel of the brook is an additional 20 feet from the proposed construction area.
7. The Lyme Conservation Commission supports the proposed project.
8. Original photographs of the site are located in file 2004-00432.

**2004-02416                      HALL, HOWARD & KAREN**  
**LACONIA   Lake Winnisquam**

Requested Action:

Permanently remove an existing 5 ft x 30 ft seasonal dock connected to an existing 5 ft x 10 ft seasonal pier, and replace with a 5 ft x 40 ft seasonal pier hinged to a 6 ft x 4 ft concrete pad, and install a 10 ft x 12 ft 6 in seasonal boatlift on an average of 161 ft of frontage on Lake Winnisquam, Laconia.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. requested 40 day hold and then never commented on project.

APPROVE PERMIT:

Permanently remove an existing 5 ft x 30 ft seasonal dock connected to an existing 5 ft x 10 ft seasonal pier, and replace with a 5 ft x 40 ft seasonal pier hinged to a 6 ft x 4 ft concrete pad, and install a 10 ft x 12 ft 6 in seasonal boatlift on an average of 161 ft of frontage on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated September 27, 2004, as received by the Department on October 6, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the

registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal structures, including piers and lifts, shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), installation of a 2-slip seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02456                      BROWN, CLINTON**  
**ALTON    Unnamed Wetland**

Requested Action:

Dredge and fill 2695 square feet in two locations including installation of two culverts for logging access.

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Conservation Commission/Staff Comments:

The Alton Conservation Commission has no objection to the proposed application.

APPROVE PERMIT:

Dredge and fill 2695 square feet in two locations including installation of two culverts for logging access.

With Conditions:

1. All work shall be in accordance with plans by Lindon Design Associates dated September 21, 2004, and revised through July 22, 2004, as received by the Department on October 14, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during periods of non-flow.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a letter of agreement from the abutter (Tax Map 5-12-2) Edward and Elizabeth Reeves, for work within 20 feet of the property line.

**2004-02559 SOLHEID, LEANDER & SHERLYN  
MEREDITH Lake Winnepesaukee**

Requested Action:

Repair an existing 116.5 linear ft wall in-kind on an average of 155 ft of frontage on Salley's Gut, Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. recommends approval of project.

APPROVE PERMIT:

Repair an existing 116.5 linear ft wall in-kind on an average of 155 ft of frontage on Salley's Gut, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 1, 2004, as received by the Department on October 22, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.



**2004-02595                      BARRA, KEN**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Permanently remove an existing 6 ft x 24 ft seasonal dock and replace with a 6 ft x 30 ft seasonal dock hinged to a 6 ft x 4 ft concrete pad, and repair an existing 66 linear ft concrete wall in-kind on an average of 87 ft of frontage on Meredith Bay, Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. recommends approval of project.

APPROVE PERMIT:

Permanently remove an existing 6 ft x 24 ft seasonal dock and replace with a 6 ft x 30 ft seasonal dock hinged to a 6 ft x 4 ft concrete pad, and repair an existing 66 linear ft concrete wall in-kind on an average of 87 ft of frontage on Meredith Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 1, 2004, as received by the Department on October 25, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Dredged or removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Repair shall maintain existing size, location and configuration.
9. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
10. Seasonal pier shall be removed from the lake for the non-boating season.
11. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. Work shall be done during low water.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2004-02734                      SANFORD PROPERTIES, LUCINDA SANFORD LANDRETH**  
**WOLFEBORO   Lake Wentworth**

Requested Action:

Repair an existing 10 ft 6 in wide boat ramp by replacing log sides with natural stone on an average of 1,150 ft of frontage on Lake Wentworth, Wolfeboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. did not sign application.

APPROVE PERMIT:

Repair an existing 10 ft 6 in wide boat ramp by replacing log sides with natural stone on an average of 1,150 ft of frontage on Lake Wentworth, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Lucinda Sanford Landreth dated October 2004, as received by the Department on November 10, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2004-02758 GRADY, LEONARD**  
**TILTON Sliver Lake**

Requested Action:

Applicant requests an After-the-Fact approval of the retaining wall repair.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE AFTER THE FACT:

Retain a repaired 45 linear ft retaining wall on an average of 200 ft of frontage on Silver Lake, Tilton.

With Conditions:

1. All work shall be in accordance with plans by Leonard P. Grady, as received by the Department on November 12, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

## FORESTRY NOTIFICATION

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**2004-02604                      FORD, EDWARD**  
**HOLDERNESS   Unnamed Stream**

COMPLETE NOTIFICATION:  
Holderness Tax Map 228, Lot# 22

**2004-02676                      MORSE, FORREST**  
**HENNIKER**

COMPLETE NOTIFICATION:  
Henniker Tax Map 1, Lot# 649

**2004-02722                      KIKLIS, LOUIS**  
**LEMPSTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lempster Tax Map 10, Lot# 296.304

**2004-02723                      PLUM CREEK MAINE TIMBERLANDS LLC**  
**WENTWORTHS LOCA   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wentworth Location Tax Map 1628, Lot# 3

**2004-02741                      LACROIX, JERRY & KATHY**  
**GILFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilford Tax Map 210, Lot# 28

**2004-02742                      GUINTA, ANTHONY**  
**SANBORNTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sanbornton Tax Map 22, Lot3 19.5

**2004-02743                      MAYO, JENNIFER**  
**MEREDITH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Meredith Tax Map R19, Lot# 2

**2004-02744                      HOPKINTON, TOWN OF**  
**HOPKINTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hopkinton Tax Map 250, Lot# 61

**2004-02745                      DENNETT, NANCY**  
**ALSTEAD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Alstead Tax Map 29, Lot# 4

**2004-02754                      STATE STREET BANK & TRUST, AB THOMPSON TTEE**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
South Tamworth Tax Map 203, Lot# 2, 3, 4, 5 & 6

**2004-02755                      DUBOIS, RENE**  
**CAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Campton Tax Map 8, Lot# 4-2

**2004-02761                      NEVIN, JOHN/JACQUELINE**  
**SALISBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Salisbury Tax Map 251, Lot# 6

**2004-02767                      COLBY, CHESTER**  
**ANTRIM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Antrim Tax Map 7, Lot# 63

**2004-02768                      NEDELMAN, GARY & SUSAN**  
**MASON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Mason Tax Map L, Lot# 22

**2004-02786                    H&H INVESTMENTS, LLC**  
**MARLBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Marlboro Tax Map 3, Lot# 17

**2004-02787                    WHITTEMORE, GAYLE**  
**PEMBROKE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pembroke Tax Map 262, Lot# 50 & 52

**2004-02798                    TUCKER, JAMES & CONSTANCE**  
**MASON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Mason Tax Map F, Lot# 4-1

**2004-02799                    MURTAGH, CAROL**  
**ALTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Alton Tax Map 15, Lot# 5

**2004-02800                    AKINS, WAYNE**  
**WARNER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Warner Tax Map 16, Lot# 85

**2004-02843                    THIBODEAU, MICHAEL & LISA**  
**LEBANON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lebanon Tax Map 194, Lot# 5-1

**2004-02845                    COOLEY, ARTHUR**  
**WESTMORELAND   Unnamed Stream**

COMPLETE NOTIFICATION:  
Westmoreland Tax Map 5 & 6, Lot# 1 & 10

**2004-02847                    MORGAN, RICHARD**  
**HENNIKER   Unnamed Stream**

COMPLETE NOTIFICATION:

Henniker Tax Map 1, Lot# 625-A1, 559 & 559-X

**2004-02848                      NELSON, CONNIE**  
**NORTH SANDWICH   Unnamed Stream**

COMPLETE NOTIFICATION:

North Sandwich Tax Map R9, Lot# 43

**2004-02858                      DURAN, WENDY**  
**DEERING   Unnamed Stream**

COMPLETE NOTIFICATION:

Deering Tax Map 233, Lot# 2

**2004-02859                      EAMES, JEFFREY & RACHEL**  
**PEMBROKE   Unnamed Stream**

COMPLETE NOTIFICATION:

Pembroke Tax map 262, Lot# 49

**2004-02860                      BAKER REVOC TRUST, MADLYN**  
**ANDOVER   Unnamed Stream**

COMPLETE NOTIFICATION:

Andover Tax Map 30, Lot# 547,211

**2004-02861                      LAVOIE, ROD**  
**CHARLESTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:

Charlestown Tax Map 35, LoT # 50

**2004-02862                      GREEN ACRE WOODLANDS INC**  
**GROTON   Unnamed Stream**

**EXPEDITED MINIMUM**

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**2001-00481                      JORDON, ANN MARIE**  
**NOTTINGHAM   Unnamed Wetland**

Requested Action:

Request for permit amendment to reduce the approved culvert length from 40 feet to 20 feet and install an additional 24-inch x 20-foot culvert.

\*\*\*\*\*

APPROVE AMENDMENT:

Impact approximately 825 square feet within the bed and banks of an intermittent stream to install two 24-inch x 20-foot culverts to provide driveway access to a single lot (Lot 12-2) within a proposed three lot residential subdivision on approximately 24.69 acres.

With Conditions:

1. All work shall be in accordance with the Topographic Plan by O'Neil Survey and Associates dated January 7, 2001 (last revised February 12, 2001), as received by the Department on March 23, 2001, and the revised driveway crossing detail plan received by the Department on December 1, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. Work shall be conducted during low flow conditions.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Minimum Impact Project, per Rule Wt 303.04(z), as it involves less than 3,000 square feet of alteration to wetlands and surface waters to provide access to a single-family building lot.

**2003-02318                      CERSOSIMO INDUSTRIES INC**  
**MILTON   Unnamed Stream**

Requested Action:

Approve name change to: Austin Land Holdings LLC, PO Box 8 , Alton Bay, Nh 03810 per request received 12/02/2004.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact expedited application form.

APPROVE NAME CHANGE:

Dredge and fill 630 square feet to install a 12-inch x 20 foot culvert for the construction of access drive in the subdivision of 43.11 acres into six single family building lots.

With Conditions:

1. All work shall be in accordance with plans titled Cersosimo Industries Wetland Crossing as received by the Department December 5, 2003, and Subdivision Plans by Christen B Wilber Surveying and Consulting dated August 8, 2003 and revised through September 24, 2003 as received by the Department on October 22, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the

registered permit shall be submitted to the DES Wetlands Bureau.

6. Work shall be done during low flow.

7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.

9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

10. The culvert inverts shall be laid at grade.

11. Proper headwalls shall be constructed within seven days of culvert installation.

12. Culvert outlets shall be properly rip rapped.

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2004-02084**

**MURPHY, DENNIS**

**CENTER HARBOR Hawkins Pond**

Requested Action:

Excavate 400 sq ft of bank along 20 linear ft of shoreline to construct a 20 ft x 20 ft perched beach with 4 ft wide steps to the water on 488 ft of frontage on Hawkins Pond, Center Harbor.

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Conservation Commission/Staff Comments:

Con Com submitted written comments to application but did not sign Exp Application.

APPROVE PERMIT:

Excavate 400 sq ft of bank along 20 linear ft of shoreline to construct a 20 ft x 20 ft perched beach with 4 ft wide steps to the water on 488 ft of frontage on Hawkins Pond, Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by Matthew Wood dated November 14, 2004, as received by the Department on November 15, 2004.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).



With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach.
2. Field inspection by the Bureau did not find any wetlands at the project site. The Conservation Commissions concerns of wetland impacts are of a different site on the waterbody.

**2004-02284                      BISPLINGHOFF, RON**  
**NORTH HAMPTON   Unnamed Wetland**

Requested Action:

Fill approximately 2,834 square feet of forested wetland to install twin 24-inch by 25-foot culverts for access to a single family residential lot on approximately 11.8 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The North Hampton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill approximately 2,834 square feet of forested wetland to install twin 24-inch by 25-foot culverts for access to a single family residential lot on approximately 11.8 acres.

With Conditions:

1. All work shall be in accordance with Wetland Impact Plan by NH Soil Consultants, Inc. dated September 2004 and revised on November 18, 2004, as received by the Department on November 30, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done during no flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
12. No fill shall be done for lot development.
13. No fill shall take place in Atlantic white cedar swamps.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Culvert outlets shall be properly rip rapped.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02322**

**BRUNEAU, JONATHAN**

**JAFFREY Unnamed Wetland**

Requested Action:

Fill approximately 900 square feet within the bed and banks of an intermittent stream to install a 18-inch by 24-foot culvert for access to a single family residential lot on approximately 29 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Jaffery Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill approximately 900 square feet within the bed and banks of an intermittent stream to install a 18-inch by 24-foot culvert for access to a single family residential lot on approximately 29 acres.

With Conditions:

1. All work shall be in accordance with plans by Jonathan P. Bruneau dated September 1, 2004, as received by the Department on September 28, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. In accordance with rule Wt. 304.04, the applicant has obtained written consent from the abutter identified as the State of New Hampshire (Tax Map 229 Lot 26) concurring with the proposed impacts within 20-feet of said abutter's property line.

**2004-02333                      KUCHINSKY, DANIEL & SUSAN JORDAN**  
**ANDOVER   Unnamed Pond**

Requested Action:

Temporarily impact 10 square feet of a pond bank and bed to install a dry hydrant.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation Commission signed the expedited application;

Project administratively complete as of 10/20/04;

APPROVE PERMIT:

Temporarily impact 10 square feet of a pond bank and bed to install a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on September 28, 2004 and cross section details received November 16, 2004.
2. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank.
3. Machinery shall be staged and refueled in upland areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.
7. All construction-related debris and dredged material not used to backfill the dry hydrant pipe trench shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Any portion of the bank disturbed as part of installation of the dry hydrant pipe shall be regraded to original contours, seeded and stabilized immediately following completion of work.
9. Work shall be done in low water conditions. 10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands, lined with hay bales or other acceptable sediment trapping liners, or set back as far as possible from wetlands and surface waters --in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), alteration of less than 10 linear feet of bank for installation of a dry hydrant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02365                      LEVY, RICHARD**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Remove and replace 3 pilings on the westerly side of the "U-shaped" docking facility consisting of one 7 ft 5 in x 38 ft 3 in permanent pier and one 7 ft 2 in x 38 ft 3 in permanent pier, connected by a 24 ft 10 in x 10 ft 9 in permanent walkway, and construct a stairway not exceeding 6 feet in width, accessed by a walkway not exceeding 6 feet in width on 100 feet of frontage on Lake Winnepesaukee.

\*\*\*\*\*

**APPROVE PERMIT:**

Remove and replace 3 pilings on the westerly side of the "U-shaped" docking facility consisting of one 7 ft 5 in x 38 ft 3 in permanent pier and one 7 ft 2 in x 38 ft 3 in permanent pier, connected by a 10 ft 9 in x 24 ft 10 in permanent walkway, and construct a stairway not exceeding 6 feet in width, accessed by a walkway not exceeding 6 feet in width on 100 feet of frontage on Lake Winnepesaukee.

**With Conditions:**

1. All work shall be in accordance with plans by Richard Levy Revocable Trust dated September 16, 2004, as received by the Department on November 17, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
4. This permit does not allow for maintenance dredging.
5. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
6. Repairs shall maintain existing size, location and configuration.
7. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2004-02466                      CHESTER, TOWN OF**  
**CHESTER   Exeter River**

**Requested Action:**

Impact approximately 252 square feet of bank along the Exeter River to reconstruct existing stone headwalls of the culverts beneath Shepard Home Road for public safety.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Chester Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE PERMIT:**

Impact approximately 252 square feet of bank along the Exeter River to reconstruct existing stone headwalls of the culverts beneath Shepard Home Road for public safety.

With Conditions:

1. All work shall be in accordance with plans by Holden Transportation Engineering dated August 2004, as received by the Department on November 15, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04 (x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02533                      ERICKSON, PAMELA**  
**PELHAM   Little Island Pond**

Requested Action:

Modify an existing sloped beach to a perched design with no change in beach dimensions on Little Island Pond, Pelham.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Modify an existing sloped beach to a perched design with no change in beach dimensions on Little Island Pond, Pelham.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on October 18, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.

8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of beach.
2. NH Natural Heritage Inventory has not responded by November 30, 2004.

**2004-02536                      SKEFFINGTON, PATRICK**  
**SOUTH SUTTON    Blaisdell Lake**

Requested Action:

Repair (2) existing 6 ft x 17 ft 6 in full crib piers in-kind adjacent to an existing boathouse on an average of 45 ft of frontage on Blaisdell Lake, Sutton.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair (2) existing 6 ft x 17 ft 6 in full crib piers in-kind adjacent to an existing boathouse on an average of 45 ft of frontage on Blaisdell Lake, Sutton.

With Conditions:

1. All work shall be in accordance with plans by Central Lakes Dock Company, Inc, as received by the Department on October 19, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2004-02547                      NEW LIDEN REALTY TRUST**  
**SUNAPEE   Unnamed Wetland**

Requested Action:

PBN#1, Fill approximately 669 square feet within the bed and banks of an intermittent stream to install a 18-inch by 20-foot culvert for access to a single family residential lot on approximately 2.18 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Sunapee Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Fill approximately 669 square feet within the bed and banks of an intermittent stream to install a 18-inch by 20-foot culvert for access to a single family residential lot on approximately 2.18 acres.

**2004-02552                      RICHARDS, ROBERT**  
**WEARE   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 2,860 square feet of palustrine forested wetlands and install 3 culverts to provide access to a single family residence.

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Conservation Commission/Staff Comments:

Conservation Commission signed the expedited application.

APPROVE PERMIT:

Dredge and fill approximately 2,860 square feet of palustrine forested wetlands and install 3 culverts to provide access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Dahlberg Land Services, Inc. dated November 16, 2004, as received by the Department on November 16, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. No fill shall be done for lot development.
5. Work shall be done during low or non flow conditions.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project will impact 2,860 sq ft for access to a single family residence and is therefore a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

5. The abutter on Lot 411-289.1 has no objections to the proposed driveway location as noted on November 16, 2004.

**2004-02589                      HARMON, WILLIAM**  
**HAMPSTEAD   Island Pond**

Requested Action:

Repair a foundation supporting an existing boathouse on Island Pond, Hampstead.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair a foundation supporting an existing boathouse on Island Pond, Hampstead.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on October 25, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during drawdown.
6. No modification shall be made to the dimensions of the existing boathouse.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of existing docking structures.
2. NH Fish and Game has no concerns with the proposed project.

**2004-02590                      ONEIL, NORMAN**  
**LACONIA   Lake Winnisquam**

Requested Action:

Repair existing 120 ft x 1 ft x 8 ft retaining wall south of existing boathouse, reface and repair Westerly side (lakeside edge) of the boathouse supporting 48 ft x 5.5 ft breakwater, and replace the Westerly side of the boathouses concrete 34 ft x 2 ft x 1 ft kneewall to return the boathouse and frontage "in-kind" on 162 feet of frontage on Lake Winnisquam.

\*\*\*\*\*

APPROVE PERMIT:

Repair existing 120 ft x 1 ft x 8 ft retaining wall south of existing boathouse, reface and repair Westerly side (lakeside edge) of the boathouse supporting 48 ft x 5.5 ft breakwater, and replace the Westerly side of the boathouses concrete 34 ft x 2 ft x 1 ft kneewall to return the boathouse and frontage "in-kind" on 162 feet of frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited dated October 15, 2004, as received by the Department on October 25, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repairs to boathouse shall result in no change to the existing size, location, configuration and use.
4. Refacing to existing retaining walls shall not exceed six inches.



5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fences, turbidity, and siltation controls shall only be removed once the area (water and or land) is stabilized.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. All excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04 (v), repair of exsiting structures in kind.

**2004-02632                      CURTIN, THOMAS & KERRIE**  
**TAMWORTH   Unnamed Wetland**

Requested Action:

Fill approximately 240 square feet of forested wetland to install a 15-inch culvert for access to a single family residential lot.

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Conservation Commission/Staff Comments:

The Tamworth Conservatino Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill approximately 240 square feet of forested wetland to install a 15-inch culvert for access to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans received by the Department on October 29, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. No fill shall take place in Atlantic white cedar swamps.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02665                      WEISS, JOEL & KAREN**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Repair an existing 18 ft 10 in by 15 ft 9 in dock supported by a 18 ft 2 in by 15 ft 1 in crib accessed by a 25 ft 6 in by 8 ft dock supported by a 19 ft 6 in by 8 ft crib, replace two tie off piles on the western side of the dock on Lake Winnepesaukee, Meredith.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 18 ft 10 in by 15 ft 9 in dock supported by a 18 ft 2 in by 15 ft 1 in crib accessed by a 25 ft 6 in by 8 ft dock supported by a 19 ft 6 in by 8 ft crib, replace two tie off piles on the western side of the dock on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Mason Marine Construction dated October 8, 2004, as received by the Department on November 1, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. Repair shall maintain existing size, location and configuration.
9. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of existing docking structures.

**2004-02666                      SECORD, RICHARD/CORINNE**  
**MEREDITH   Unnamed Stream**

Requested Action:

Fill approximately 1,000 square feet of forested wetland for the installation of a sewer line to a single family residential lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the Minimum Impact Expedited Application.

Inspection Date: 09/10/2004 by Jocelyn S Degler

APPROVE PERMIT:

Fill approximately 1,000 square feet of forested wetland for the installation of a sewer line to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Carl Johnson revised October 12, 2004, as received by the Department on November 1, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
5. No fill shall be done for lot development.
6. No fill shall take place in Atlantic white cedar swamps.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02667                      RODRIQUEZ, RAY**  
**RINDGE   Unnamed Stream**

Requested Action:

Dredge and fill approximatly 1,330 square feet of palustrine forested wetlands to install a culvert with associated fill for forest management practices.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation commission signed the expedited application.

APPROVE PERMIT:

Dredge and fill approximatly 1,330 square feet of palustrine forested wetlands to install a culvert with associated fill for forest management practices.

With Conditions:

1. All work shall be done in accordance with plans by Green Mountain Forestry, and received by DES on November 1, 2004.

2. All work shall adhere to the standards of the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire" published by the NH Dept. of Resources & Economic Development (also available on the Internet at: [http://www.nhdf.org/info\\_plan\\_bureau/fi&p\\_waterqualitybmps.htm](http://www.nhdf.org/info_plan_bureau/fi&p_waterqualitybmps.htm)).
3. Any change in use to a non-forestry purpose will require further permitting by the DES Wetlands Bureau.
4. Work shall be done during low or non flow conditions.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project impacts 1,330 sq ft for forestry practices and is therefore a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02682                      PARK AVENUE CORPORATION**  
**EXETER    Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,542 square feet of forested wetland to install a 12-inch by 23-foot culvert for access and a sewer lateral beneath the drive to a single family residential lot on approximately 1.64 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Exeter Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 1,542 square feet of forested wetland to install a 12-inch by 23-foot culvert for access and a sewer lateral beneath the drive to a single family residential lot on approximately 1.64 acres.

With Conditions:

1. All work shall be in accordance with plans by Millette, Sprague 7 Colwell, Inc. dated September 30, 2004, as received by the Department on November 3, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02684                      PARK AVENUE DEVELOPMENT CORPORATION**  
**EXETER   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,423 square feet of forested wetland to install a 12-inch by 24-foot culvert for access and a sewer lateral beneath the drive to a single family residential lot on approximately 1.64 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Exeter Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 1,423 square feet of forested wetland to install a 12-inch by 24-foot culvert for access and a sewer lateral beneath the drive to a single family residential lot on approximately 1.64 acres.

With Conditions:

1. All work shall be in accordance with plans by Millette, Sprague 7 Colwell, Inc. dated September 30, 2004, as received by the Department on November 3, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02694                      CORBETT, DAVID & CHARLOTTE**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Construct a 136 sqft perched beach on Lake Winnisquam, Laconia.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 136 sqft perched beach on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Matthew Wood dated December 1, 2004, as received by the Department on December 2, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be done during drawdown.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 482.35). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a beach.

**2004-02712                      DUNN, JAN & LUCILLE**  
**CLAREMONT   Unnamed Wetland**

Requested Action:

Impact approximately 1,589 square feet of wet meadow and seasonal drainage to upgrade existing woods road for cell tower installation and continued access.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation commission is in favor of the project with appropriate sediment controls, culvert sizing and construction BMP's utilized.

APPROVE PERMIT:

Impact approximately 1,589 square feet of wet meadow and seasonal drainage to upgrade existing woods road for cell tower installation and continued access.

With Conditions:

1. All work shall be in accordance with plans by OEST Associates, Inc. dated July 23, 2004, as received by the Department on November 8, 2004.
2. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
3. Work shall be done during low or non flow.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft on nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-02752                      WRD INC**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

1. Repair (1) 4 ft x 120 ft piling pier with (1) 2 ft x 18 ft finger pier, (3) 2 ft x 16 ft finger piers, (1) 3 ft x 18 ft finger pier, and (2) bumper pilings, in-kind; and
2. Repair (1) 7 ft 9 in x 128 ft piling pier with (5) 2 ft x 16 ft finger piers and (2) bumper pilings, in-kind; and
3. Repair (1) 4 ft x 126 ft piling pier with (6) 2 ft x 16 ft finger piers, (1) 3 ft x 16 ft finger pier, and (2) bumper pilings, in-kind; and
4. Repair (1) 6 ft x 131 ft 9 in piling pier attached to (1) 5 ft x 28 ft wharf, with (4) 2 ft x 15 ft finger piers, (3) 2 ft x 16 ft finger piers, (6) 2 ft x 20 ft finger piers, (2) 2 ft x 19 ft finger piers, (13) bumper pilings, and (2) 3-piling ice cluster, in-kind; and
5. Repair 95 linear ft of existing retaining wall in-kind on an average of 183 ft of frontage on Y-Landing, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

1. Repair (1) 4 ft x 120 ft piling pier with (1) 2 ft x 18 ft finger pier, (3) 2 ft x 16 ft finger piers, (1) 3 ft x 18 ft finger pier, and (2) bumper pilings, in-kind; and

2. Repair (1) 7 ft 9 in x 128 ft piling pier with (5) 2 ft x 16 ft finger piers and (2) bumper pilings, in-kind; and
3. Repair (1) 4 ft x 126 ft piling pier with (6) 2 ft x 16 ft finger piers, (1) 3 ft x 16 ft finger pier, and (2) bumper pilings, in-kind; and
4. Repair (1) 6 ft x 131 ft 9 in piling pier attached to (1) 5 ft x 28 ft wharf, with (4) 2 ft x 15 ft finger piers, (3) 2 ft x 16 ft finger piers, (6) 2 ft x 20 ft finger piers, (2) 2 ft x 19 ft finger piers, (13) bumper pilings, and (2) 3-piling ice cluster, in-kind; and
5. Repair 95 linear ft of existing retaining wall in-kind on an average of 183 ft of frontage on Y-Landing, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Mason Marine Construction dated October 15, 2004, as received by the Department on November 12, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. Dredged and removed materials shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**AGRICULTURE MINIMUM**

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**2004-02320                      GOLD STAR SOD FARM**  
**CANTERBURY    Drainage Ditch**

Requested Action:

Maintenance dredge 19,200 square feet along 1200 linear feet of agricultural man made drainage ditch.

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Conservation Commission/Staff Comments:

The conservation commission did not comment on the application.

APPROVE PERMIT:



Maintenance dredge 19,200 square feet along 1200 linear feet of agricultural man made drainage ditch.

With Conditions:

1. All work shall be in accordance with plans by Natural Resource Conservation Service dated February 2002 and revised through July 2004, as received by the Department on September 28, 2004.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Mulch within jurisdictional areas shall be straw.
8. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
9. Maintenance dredge shall be to the original size, location and configuration of the drainage ditch.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(u), maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The project is in accordance with a plan developed to standards of the "Best Management Wetland Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
3. That the project is necessary for and/or incidental to a preexisting and ongoing bonafide agricultural operation as defined by RSA 21:34-a;
4. The applicant's county conservation district certified that the plan is limited by those items addressed by the "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
5. The project will cause alteration only to wet meadows except where specifically described in "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993.
6. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

TRAILS NOTIFICATION

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**2004-02766                      ALCANTERA, ALEX**  
**GROVETON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Groveton Tax Map R4/1061, R4/895, U4/398 & R3/809

**2004-02842                      HOPKINTON, TOWN OF**  
**HOPKINTON   Unnamed Wetland**

COMPLETE NOTIFICATION:  
Hopkinton Tax Map 221, Lot# 83

**LAKES-SEASONAL DOCK NOTIF**

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**2004-02865                      DEPOPOLO, MARGARET**  
**BRIDGEWATER   Newfound Lake**

COMPLETE NOTIFICATION:  
Bridgewater Tax Map 115, Lot# 30 Newfound Lake

**PERMIT BY NOTIFICATION**

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**2004-02605                      MORISON, JOHN**  
**LYNDEBOROUGH   Unnamed Pond**

Requested Action:  
PBN#4, In-kind replacement of a 48-inch vertical riser pipe and slip line 30-inch horizontal discharge pipe on Dam#147.29.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
The Lyndeborough Conservation Commission signed the PBN.

PBN IS COMPLETE:  
PBN#4, In-kind replacement of a 48-inch vertical riser pipe and slip line 30-inch horizontal discharge pipe on Dam#147.29.

**2004-02732                      OAK BLUFF REALTY TRUST**  
**WOLFEBORO   Lake Wentworth**

Requested Action:  
PBN#12, In kind replacement of 38 linear feet of an existing retaining wall on Lake Wentworth with approximately 218 feet of shoreline frontage.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
The Wolfeboro Conservation Commission did not sign the PBN nor did they submit comment.

PBN IS COMPLETE:  
PBN#12, In kind replacement of 38 linear feet of an existing retaining wall on Lake Wentworth with approximately 218 feet of shoreline frontage.

**2004-02737                      MOONEY, CURTIS**  
**HEBRON   Unnamed Stream**

Requested Action:  
PBN#1, Fill approximately 120 square feet within the bed and banks of an intermittent stream to install a 18-inch by 30-foot culvert

for access to a single family residential lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hebron Conservation Commission did not sign the PBN nor did they submit comment

PBN IS COMPLETE:

PBN#1, Fill approximately 120 square feet within the bed and banks of an intermittent stream to install a 18-inch by 30-foot culvert for access to a single family residential lot.

**2004-02738                      FORTIER, PAUL & CHRISTINA**  
**MEREDITH   Unnamed Wetland**

Requested Action:

PBN#1, Dredge and fill approximately a total of 985 square feet of forested wetland (Impact site 1 with 500 square feet and Impact site 2 with 485 square feet) to install two (2) 12-inch culverts for access to a single family residential lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately a total of 985 square feet of forested wetland (Impact site 1 with 500 square feet and Impact site 2 with 485 square feet) to install two (2) 12-inch culverts for access to a single family residential lot.

**2004-02773                      PAGE, TIMOTHY**  
**MEREDITH   Unnamed Wetland**

Requested Action:

PBN#1, Fill approximately 300 square feet within the bed and banks of an intermittent stream to install a 18-inch by 15-foot culvert for access to a barn on a single family residential lot on approximately 5.16 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Fill approximately 300 square feet within the bed and banks of an intermittent stream to install a 18-inch by 15-foot culvert for access to a barn on a single family residential lot on approximately 5.16 acres.

**2004-02778                      BEVER, IVERS**  
**WOLFEBORO   Lake Wentworth**

Requested Action:

PBN#11, In kind repair to an existing 11'6"x40' crib dock on Lake Wentworth with approximately 1,100 feet of shoreline frontage.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission did not sign the PBN nor did they submit comment.

PBN IS COMPLETE:

PBN#11, In kind repair to an existing 11'6"x40' crib dock on Lake Wentworth with approximately 1,100 feet of shoreline frontage.

**2004-02822                      JEMCO BUILDER & DEVELOPER INC**  
**RAYMOND   Unnamed Pond**

Requested Action:

PBN#3, Maintenance dredge approximately 1,777 square feet of a man-made fire pond.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Raymond Conservartion Commission signed the PBN

PBN IS COMPLETE:

PBN#3, Maintenance dredge approximately 1,777 square feet of a man-made fire pond.

**2004-02826                      SAKS, IMANT**  
**ROCHESTER   Unnamed Wetland**

Requested Action:

DES cannot permit subdivisions with the PBN process.

\*\*\*\*\*

PBN DISQUALIFIED:

DES cannot permit subdivisions with the PBN process.

**2004-02827                      HOOVER, HARWOOD**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

PBN#11, In-kind replacement of six (6) piling beneath a 6'x39'5" permanent dock on Lake Winnepesaukee with approximately 425 feet of shoreline frontage.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Tuftonboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, In-kind replacement of six (6) piling beneath a 6'x39'5" permanent dock on Lake Winnepesaukee with approximately 425 feet of shoreline frontage.

**2004-02828                      CORBIT REV. TRUST, JUDITH**  
**GOFFSTOWN   Unnamed Wetland**

Requested Action:

PBN#6, Temporarily impact 1,020 square feet of scrub-shrub wetland for electric utility transmission conductor replacement.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Goffstown Conservation Commission signed the PBN

PBN IS COMPLETE:

PBN#6, Temporarily impact 1,020 square feet of scrub-shrub wetland for electric utility transmission conductor replacement.

**2004-02829                      DROUIN BUILDERS INC**  
**BELMONT   Unnamed Wetland**

Requested Action:

PBN#1, Dredge and fill approximately 240 square feet within the bed and banks of an intermittent stream to install a 15-inch by 28-foot culvert for access to a single family residential lot on approximately 29 acres.

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Conservation Commission/Staff Comments:

The Belmont Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 240 square feet within the bed and banks of an intermittent stream to install a 15-inch by 28-foot culvert for access to a single family residential lot on approximately 29 acres.